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## Onward and Upward: Commencement 2001

UB Law Forum

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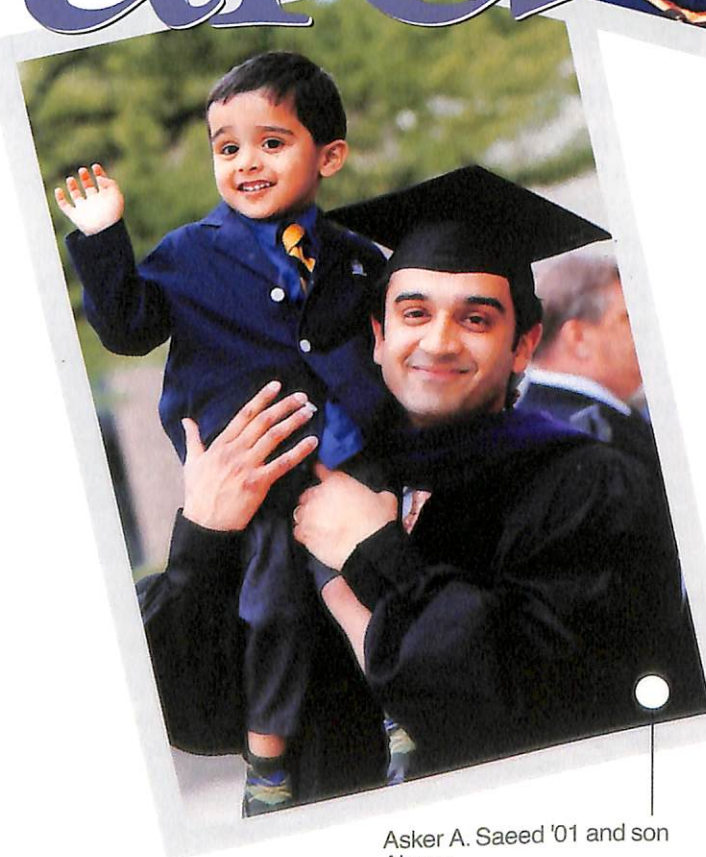
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# Onward and upward

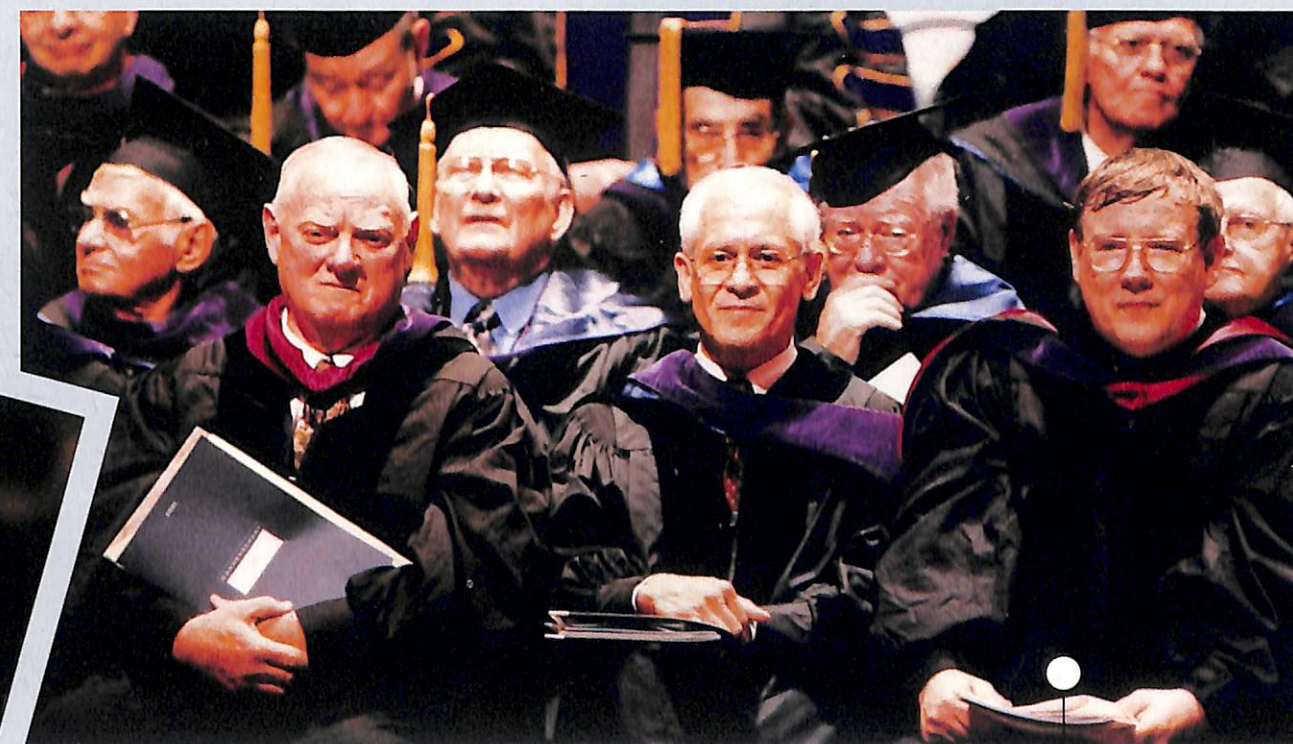
*Wise and hopeful  
words at the  
112th annual  
Commencement*

Photos by Joe Traver



Asker A. Saeed '01 and son  
Abaas

Dr. Kerry S. Grant, vice  
provost for academic affairs  
and dean of the Graduate  
School



"For me, there is one accomplishment that stands out above all others.

That was 26 years ago, when I sat where you are now and I graduated from  
this school knowing that I was going to be a lawyer. That remains my  
biggest professional triumph." — Hon. Julio M. Fuentes '75

Left to right, front row:  
Professor Kenneth F.  
Joyce, Justice Julio M.  
Fuentes '75 and Dean  
Nils Olsen. Second  
row: Members of the  
Class of 1951  
celebrating their  
50th reunion

**U**B Law School marked yet another milestone in its continuing contribution to the legal profession on May 12, 2001, as more than 200 Juris Doctor and Master of Laws graduates crossed the stage of the Center for the Arts in the Law School's 112th annual Commencement ceremonies.

The familiar rituals of academia served as a reminder that the prospective lawyers leaving UB are connected in spirit with the generations of graduates who have gone before them. That was brought home as Dean Nils Olsen recognized some special guests — members of the UB Law Class of 1951, present for their 50th

reunion.

The speakers, too, looked back as well as forward, beginning with UB Law Alumni Association President Patrick C. O'Reilly. He invited the graduates, who automatically become members of the association in their first year out of law school, to remember that the group's more than 8,500 alumni — attorneys, judges and academicians — are a resource and a support system as these new lawyers launch their careers.

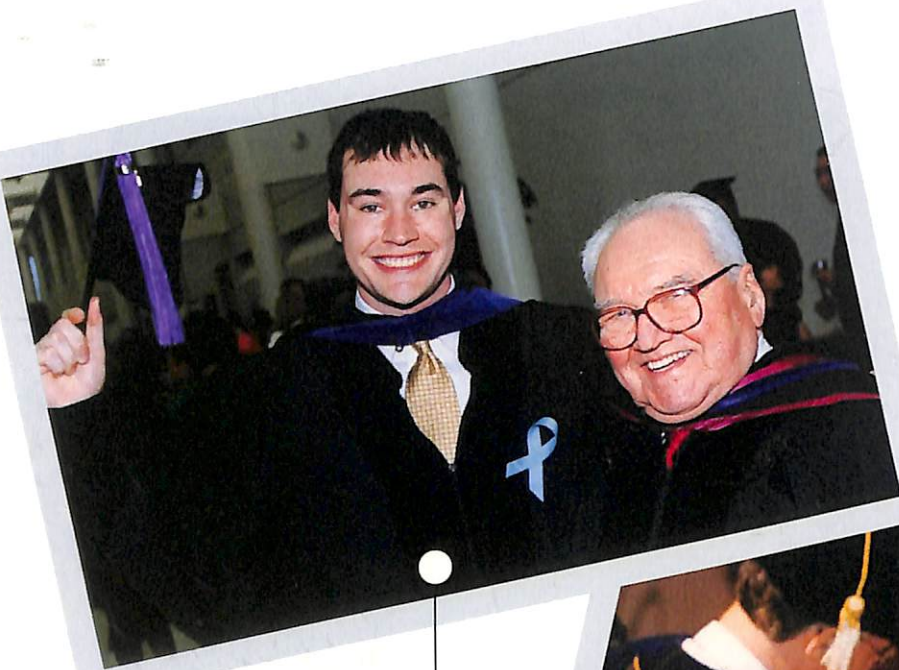
The Faculty Address was given by a perennial favorite, SUNY Distinguished Teaching Professor Kenneth F. Joyce. But he had some help — he called on several

*Continued on page 18*



# Law School Report

*Onward and upward*



Simon A. Fleischmann '01 and his grandfather Adelbert Fleischmann, Harvard Law School '37

*Continued from page 17*

of his faculty colleagues to join him on stage for a reading from the movie "A Man for All Seasons."

Professor John H. Schlegel played Sir Thomas More. Associate professor Susan V. Mangold took the part of More's wife Alice, and Vice Dean Dianne Avery played More's daughter, Margaret. Professor Errol E. Meidinger played More's son-in-law, Roper.

In this lively exchange about man's law versus God's law, Roper challenges his father-in-law: "So you'd give the Devil benefit of law?" to which Sir Thomas replied, "Yes. What would you do? Cut a great road through the law to get after the Devil?"

Roper replied: "I'd cut down ever law in England to do that."

Sir Thomas excitedly responded: "Oh? And when the last law was down, and the Devil turned around on you – where would you hide, Roper, the laws all being flat? Yes, I'd give the Devil benefit of law for my own safety's sake."

In his concluding remarks, Professor Joyce addressed the graduating class. "Let me congratulate you primarily on your

persistence in getting this far," Joyce told the graduates. "Getting through law school is extremely enjoyable, entertaining, exhilarating, but it is not easy. But you persisted with good spirit."

Joyce, a member of the UB Law faculty for 36 years, borrowed from another classic movie, "The Three Faces of Eve," to discuss "The Four Faces of the Rule of Law." "You often hear it said that we are a people devoted to the rule of law, but we do not always talk about what that means," he said.

His four points:

- All of us are equal in the eyes of the law, as reflected in the motto carved into the U.S. Supreme Court building: "Equal Justice Under the Law."

- Without law, "might makes right"

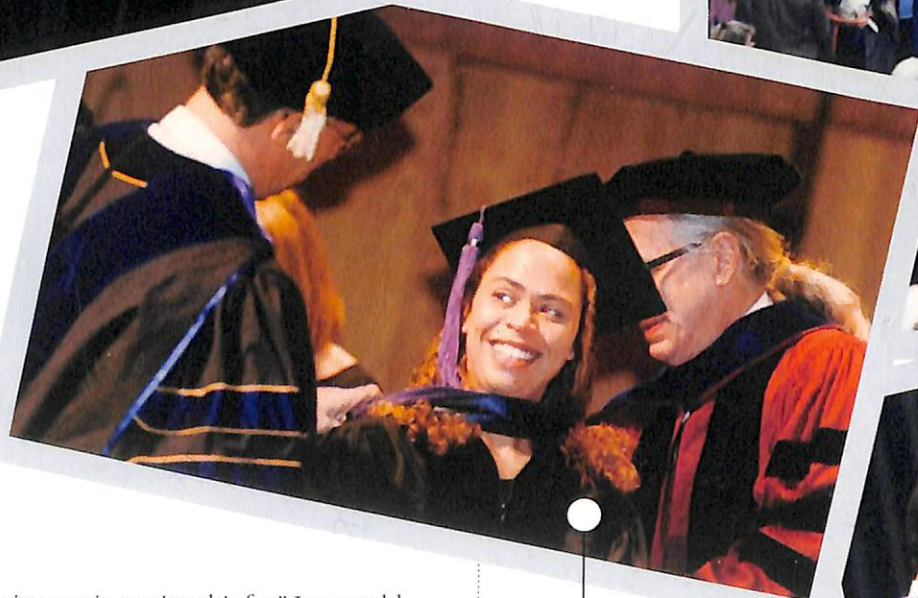
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1,600 people attended a reception for the graduates and their families in the atrium of the Center for the Arts

**The law is the product of the best of ourselves rather than the worst of ourselves. It is the product of our intellect, our rational thinking which regulates our passions and our prejudices.**

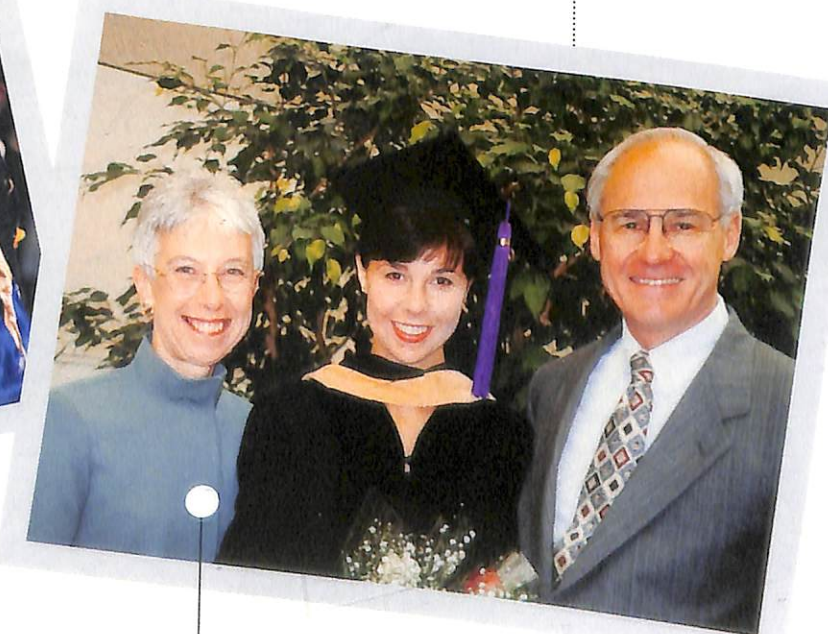
**– Professor Kenneth Joyce**



Stephanie G. Carter '01 and Professor John H. Schlegel



Professor James A. Wooten, left, and Kevin J. Graff '01



Virginia R. Foschio, left, Christa M. Foschio '01, center, and Hon. Leslie G. Foschio '65



# Law School Report

Continued from page 18

takes over. "Without law, we have chaos and anarchy," he said.

• "The law is the product of the best of ourselves rather than the worst of ourselves. It is the product of our intellect, our rational thinking which regulates our passions and our prejudices."

• Finally, Joyce told of watching with rapt attention the judicial drama in Florida and Washington, D.C., that eventually decided the 2000 presidential election. He quoted the loser in that race, Vice President Al Gore: "I disagree with the decision, but I accept it." "We as a society accept the rule of law," Joyce said. "Acceptance is really the notion that we agree to be ruled by it."

"It is most particularly our responsibility to foster that rule of law by example," he concluded.

Student speaker William K. Taylor began with a question from an old Talking Heads song: "How did I get here?"

"The best way to figure out how we got here," he said, "is to remember why we came here. We all started law school with certain hopes and expectations. Some of us are more idealistic than when we came here, some less so. But we all have one thing in common: Now, we need to go to work."

Taylor spoke of the need to weigh personal concerns against professional life: "Do not expect self-actualization right out of the block. Just look for simple happiness. It is out there. Try for a healthy bal-

ance in your life, and work on the self-actualizing as you go along.

"Five years from now, I hope, as busy as our lives are, we still make time to enjoy our families and loved ones, and that we have good friends. Five years from now, I hope that we find circumstances in our lives that make us laugh much more than we cry, that we find things to feel passionate about, and that our idealism is never in decline — and that we have not forgotten what we have learned about the law, about each other.

"My final hope is that five years from now, all of our grades will be in!"

The keynote address was given by UB Law alumnus Hon. Julio M. Fuentes, justice of the U.S. Court of Appeals for the Third Circuit, in New Jersey.

Fuentes began by remembering his own graduation day from UB Law School. "I had many unanswered questions," he said, "especially because, when I graduated, I had not been heavily recruited. In fact, no one offered me a job. I assure you, one thought which never crossed my mind was that one day I would become a judge, and that one day I would return to present a commencement address."

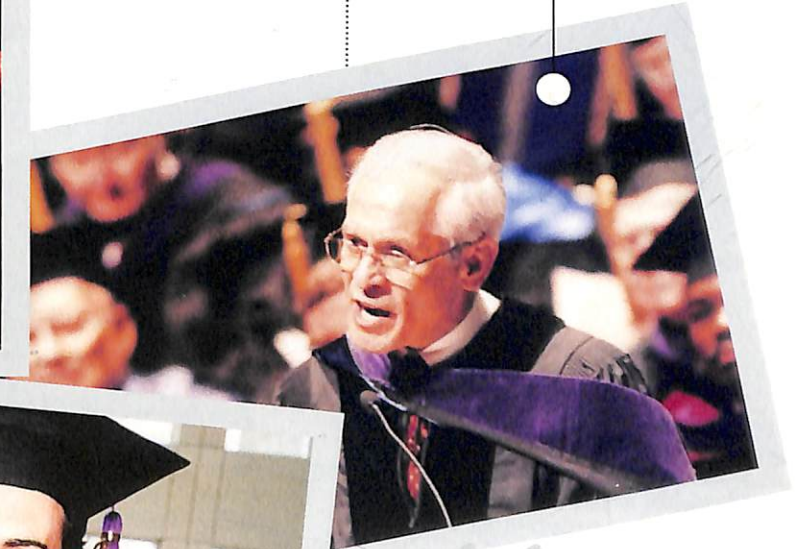
He got a job, of course, spending three years in private practice and 10 years on the bench as a Newark City Court judge before he was nominated for U.S. District Court. Then came a surprising turn of events: His nomination for that court was withdrawn, and he was cata-

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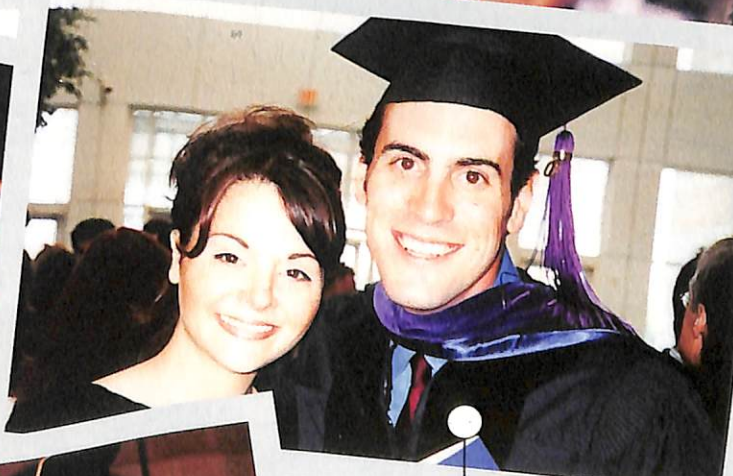
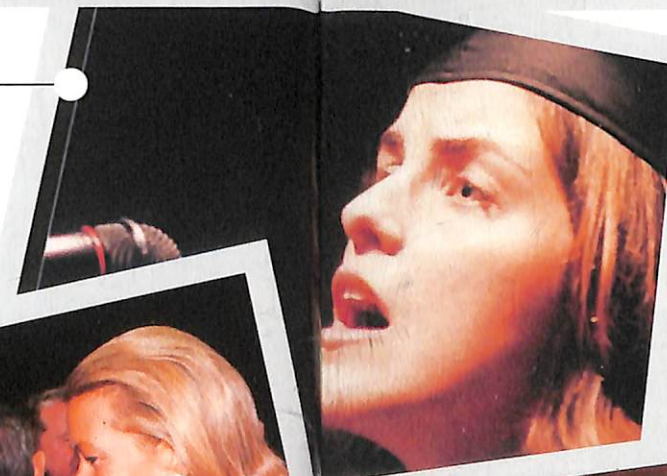


Members of the Class of 1951 participated in commencement ceremonies as part of their 50th reunion

Justice Julio M. Fuentes '75

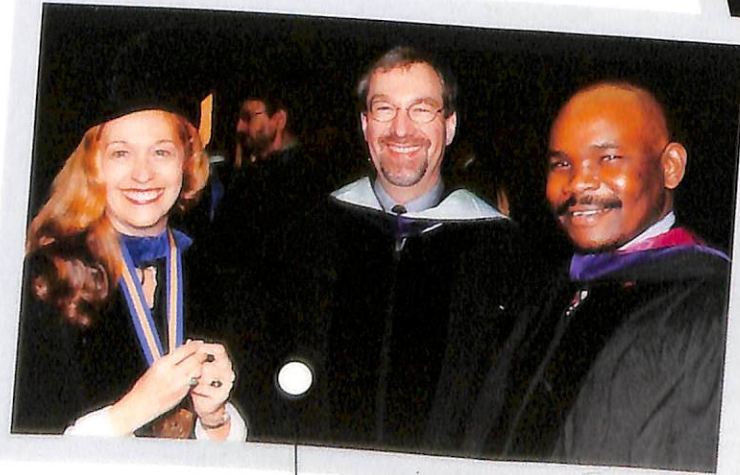


Brenda K. Wonder '01

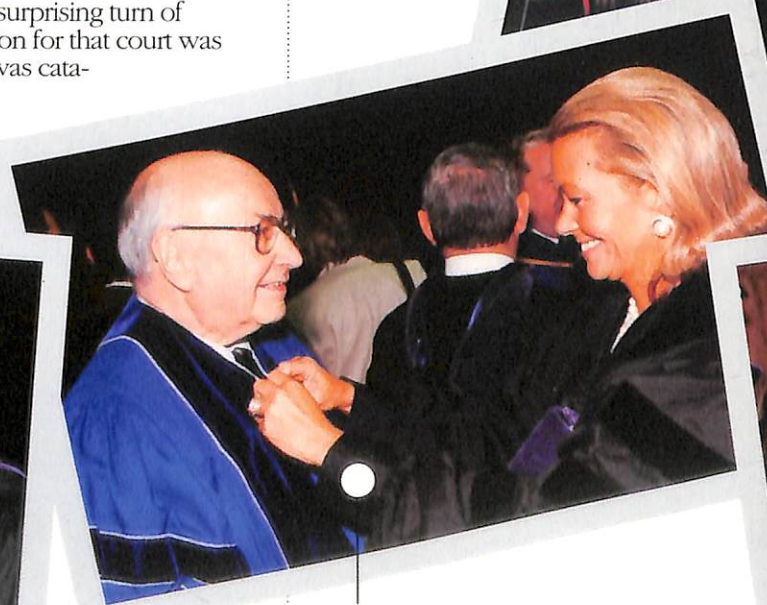


Matthew M. Wolf '01 and friend

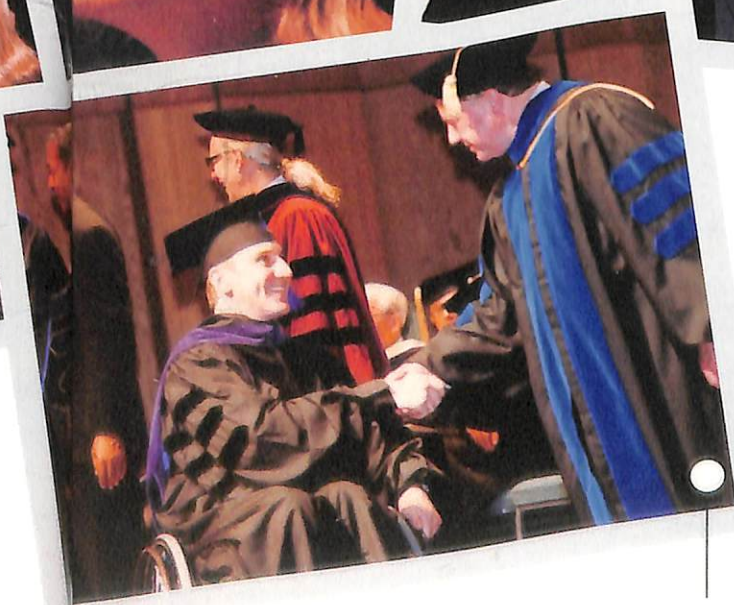
Jamie Fleischmann



Associate Dean Marlene Cook, Associate Dean James Milles, center, and Professor Makau Mutua



Gretchen P. Aylward '95, Gold Group president, helps her father Dr. James F. Phillips, UB council member emeritus



Mark J. Dunford '01 is congratulated by Vice Provost Kerry S. Grant

**You will find throughout your career that character is a human trait that has nothing to do with education or with intelligence. It does have a lot to do with your personal integrity, your honesty, your sense of decency and how you treat other people.**

**— Hon. Julio M. Fuentes**



# Law School Report



Nora M. Buckley '01

*Continued from page 20*

pulted into a position on the Court of Appeals. "As Justice Rehnquist once said about his own appointment to the Supreme Court, 'When the bus comes by, be prepared to get on board.'"

Fuentes then spoke on two major subjects: the law school experience and the profession itself.

"You will find throughout your career that character is a human trait that has nothing to do with education or with intelligence," he said. "It does have a lot to do with your personal integrity, your honesty, your sense of decency and how you treat other people."

In a New York Practice class with Professor Adolph Homburger, Fuentes recalled a class period devoted to the idea of "what it meant to be a professional." The answer, the professor said, is that "a professional is someone for whom salary is secondary to his or her calling."

"This was a very liberating thought for me," the judge said. "You see, until then, I was focusing on the salary part; I was not focusing on the ideals of the profession. Well, frankly, I had it wrong. Yes, financial security is important, but it is nowhere near as important as what you do with your law degree."

"For some of you, the most important event will be passing the bar exam, maybe winning an important case, getting a major client for your firm or perhaps winning an election. For me, there is one accomplishment that stands out above all others. That

was 26 years ago, when I sat where you are now and I graduated from this school knowing that I was going to be a lawyer. That remains my biggest professional triumph."

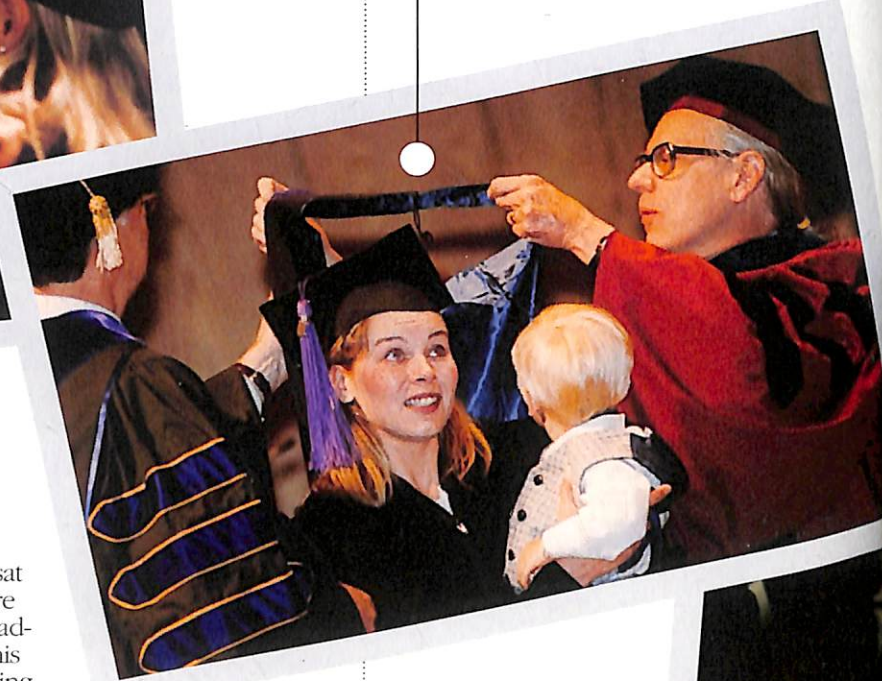
About the profession itself, Fuentes noted that legal practice has "an impact on the lives, and not just the opinions, of others."

"Unlike most others, ours is a public profession. You are all trustees of the law. You are the guardians of the rule of law and the legal system that ensures our public order and safety. That is why you must always work to improve the law, and to play an active role in the never-ending campaign for justice for everyone."

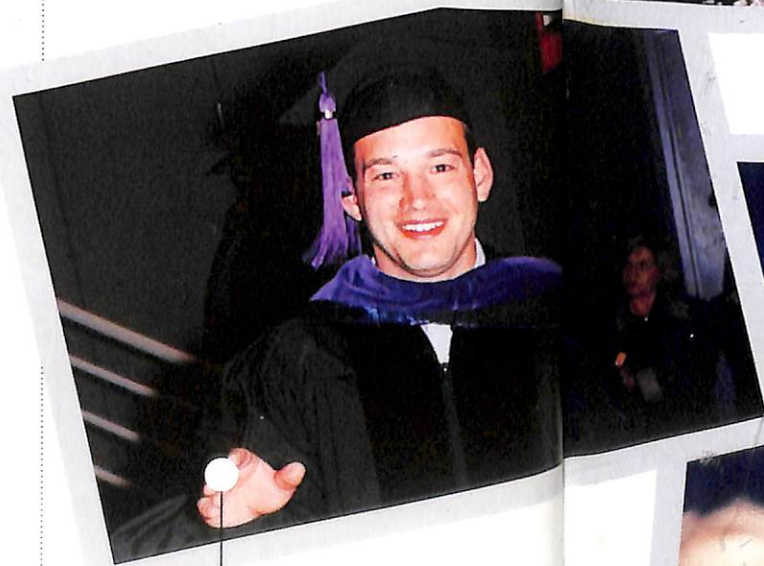
"As a lawyer, you will also learn that the law is a powerful tool. It can make people rich or it can make them poor. It can put someone in jail or give them freedom. It can stop a mortgage foreclosure and preserve someone's home, or it can make someone homeless. It can put someone in a hospital against their will. It can stop a business in its tracks, and even dissolve or sell the business. And it can even cause someone to die."

"But the power of the law does have limits, and the sooner you recognize those limits, the sooner you will learn to use the law's vast power in a positive and responsible way."

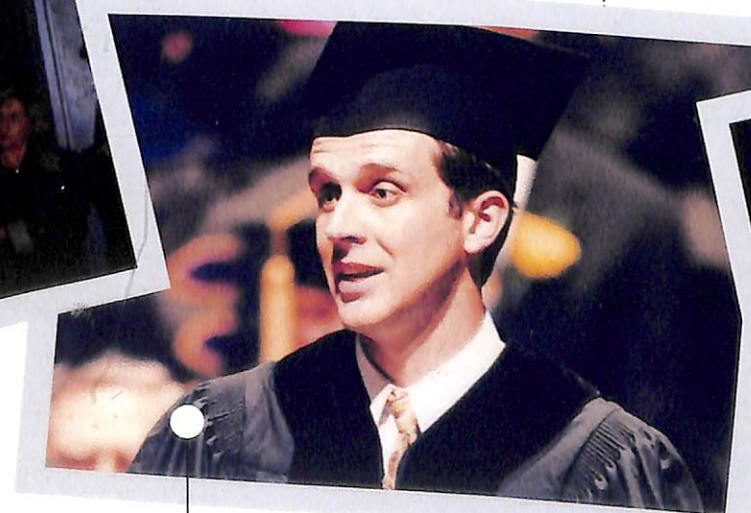
Jill S. Anderson '01 and son



Amanda G. Fantauzzo '01, left, and Samantha A. Frank '01



Peter M. Kooshoian '01



William K. Taylor '01

## LATIN HONORS

### Summa Cum Laude

Howard Scott Beyer  
Stephen Paul Coolbaugh  
Ellen Boris Sturm

### Magna Cum Laude

Deborah Joyce Karet  
Nicholas Heron Mancuso  
Robert Knop Smith  
Sheldon Keith Smith  
William Kemsey Taylor  
Jose Truzman  
Matthew David Yusick

### Cum Laude

Christopher John Arnold  
Kirsten Jeanette Barclay  
John M. Baxter  
Karlee Suzanne Bolanos  
Elizabeth Allen Brewer  
Catherine Grantier Cooley  
Paul Gedeon Daigle  
Daniel Miville Deschenes  
Jennifer Ann DiCioccio  
Amanda G. Fantauzzo  
Simon Aaron Fleischmann  
Tracy McKay Fournier

Kimberly Dawn Gensler  
Rayne Lynne Hammond  
Amy Lynn Hemmway  
Jonathan Scott Hickey  
Miranda L. Hunter  
Charles S. Kacherski  
Patricia Anne Kelleher  
Maryellen O'Brien  
Devin Lawton Palmer  
Nicole Bourquin Palmerton  
Erin Duggan Pemberton  
Jonathan Swoffer Penna  
Donald Collins Pingleton III  
Sean Denis Ronan  
Andrea Christine Ruta  
Brion Aaron Scudder  
Michele Louise Sterlace-Accorsi  
Jennifer E. Visco  
Andrew Alexander Washburn  
Carly Marie Wilsman  
Matthew Maurice Wolf  
Colleen Marie Wood  
David F. Zammiello



Marla M. Hansen '01



# Law School Report

## Graduation awards

**F**orty-one graduates of the University at Buffalo Law School received awards during the school's 112th commencement ceremony held on May 12. The graduating class presented the annual faculty award to Amy Deen Westbrook, of East Aurora, N.Y., adjunct associate professor, and the staff award to Ilene R. Fleischmann, of East Amherst, N.Y., associate dean for alumni, public relations and communications.

### Student awards were presented to:

• **Howard Scott Beyer**, of Tonawanda, N.Y., **Stephen Paul Coolbaugh** of Amherst, N.Y., and **Ellen Boris Sturm** of Snyder, N.Y., jointly received the *John N. Bennett Achievement Award*, which honors the seniors judged by the faculty to demonstrate the highest scholastic achievements in the graduating class. The award is named in honor of John N. Bennett, Class of 1934. Beyer also received the Moot Evidence Award, presented for the best performance in the area of evidence as determined by the faculty. Coolbaugh also received the *Adolf Homburger Law Alumni Association Award*, given to a graduating senior whose academic achievements in civil procedure and whose compassion for people best exemplify the qualities that Adolf Homburger sought to instill in his students.

• **Sheldon Keith Smith**, of Buffalo, N.Y., received the *Max Koren Award*. The award is made to the member of the graduating class who, in the judgment of the faculty and the dean, has exemplified the highest standards of the profession by virtue of scholastic achievement, leadership and dedication to the ideals of the law. Smith also received the *Judge William J. Regan*

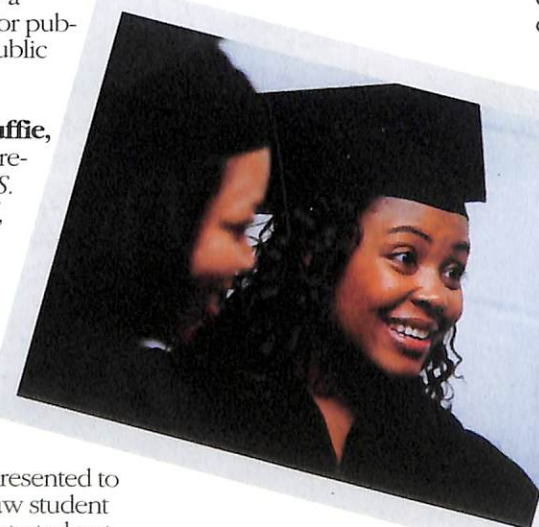
*Award*, presented to members of the graduating class who have demonstrated the greatest proficiency in estates and surrogate's law, and who are motivated by a strong concern for public service and public welfare.

• **Tanya Danyelle McDuffie**, of Buffalo, N.Y., received the *Dale S. Margulis Award*, for contributing the most to the Law School and the community. McDuffie also received the *UB Law Alumni Association's GOLD Group Award*, presented to the graduating law student who has demonstrated outstanding leadership skills in advancing the mission of the Law School and enhancing its reputation for academic excellence in legal education.

• **Paul Gedeon Daigle**, of Brantford, Ont., received the *Professor Louis DelCotto Award*, given to the student whose academic performance in the area of taxation is outstanding, as recommended by the faculty.

• **Jonathan Swoffer Penna**, of Amherst, N.Y., received

the *Birzon Prize in Clinical Legal Studies*, for demonstrating excellence in the Law School's clinical and trial advocacy programs. Penna also



Tanya D. McDuffie '01

received the Charles Dautch Award, for proficiency in courses, examinations and independent research in the law of real property.

• **Thais Michelle Alexander**, of Buffalo, N.Y., received the *American Bankruptcy Institute Medal for Excellence in Bankruptcy* for demonstrating outstanding academic performance in the area of bankruptcy law.

• **Jenny Almanzar**, of Buffalo, N.Y., received the *Maurice Frey Award*, for exceptional academic performance in the area of family law. Almanzar also received the *Kenneth A. Gomez Memorial Award*, presented in memory of Kenneth A. Gomez of the Class of 1990, who died suddenly in the summer of 1989.

• **Polina Tomashevsky**, of Amherst, N.Y., received the *Edith and David Goldstein Award* for outstanding performance in courses involving debtor-creditor and bankruptcy law.

• **William Kemsey Taylor**, of Amherst, N.Y., received the *Judge Matthew J. Jasen Appellate Practice Award*, presented to the graduating senior who in course work and Moot Court competition has shown outstanding achievement in appellate advocacy.

• **Kelley J. Dwyer Leal**, of Williamsville, N.Y., received the *David Kochery Award*, for taking an active part in the student community

through service and involvement in one or more student organizations, and for performing exceptionally well in courses in civil procedure and remedies.

• **John M. Baxter**, of Kenmore, N.Y., and Norman M. Bennett, of Buffalo, N.Y., jointly received the *Laidlaw Law Alumni Association Award*, which is given to the graduating student who displays ex-



Andrea C. Ruta '01 and Sheldon K. Smith '01

emplary performance in the area of commercial law.

• **Nicholas Heron Mancuso**, of Amherst, N.Y., received the *Harry A. Rachlin Prize in Real Property Law and Real Estate Transactions*, presented for outstanding academic performance in the area of real property and real estate law. Mancuso also received the *Carlos C. Alden Award*, presented to the senior who made the greatest contribution to the *Buffalo Law Review*, as decided by the *Law Review* members.

• **Simon Aaron Fleischmann**, of East Amherst, N.Y., received the *Judge William J. Regan Award*, presented to the member of the graduating class who has demonstrated the greatest proficiency in estates and surrogate's law, and who is motivated by a strong concern for public service and public welfare.

• **Brion Aaron Scudder**, of Buffalo, N.Y., received the

*New York State Bar Association Ethics Award*, for the best written article on the subject of legal professional responsibility or legal ethics.

• **Rayne Lynne Hammond**, of Amherst, N.Y., received the *Justice Philip Halpern Award*, given to a graduating senior for excellence in writing on *Law Review*.

• **Rita G. Alexyn**, of Batavia, N.Y., and **Caroline Elizabeth Edwards**, of Rochester, N.Y., jointly received the *Justice M. Dolores Denman Award*, presented to graduating seniors who are custodial parents, with preference given to single parents. This was the first time the awards were presented.

• **Anthony Leroy Pen-dergrass**, of Buffalo, N.Y., received the *Minority Bar Association of Western New York Award*, recognizing a member of the graduating class, who has exemplified high

standards of the profession by virtue of scholastic achievement and leadership, and demonstrated a significant commitment to effectuating changes within the legal system that address the needs of the minority community.

• **Margaret Marie Murphy**, of Getzville, N.Y., received the *National Association of Women Lawyers Award*, given to the outstanding law graduate who has shown superior academic achievement and has contributed to the advancement of women in society.

• **Erin E. Bahn**, of Ithaca, N.Y., **Frank Michael Bogulski**, of Buffalo, N.Y., and **Mark Aaron Moldenhauer**, of Williamsville, N.Y., jointly

received the *American Bar Association and The Bureau of National Affairs Award for Excellence in the Study of Labor and Employment Law*. This is the first time this award for academic achievement has been presented at Commencement.

• **Charles S. Kacherski**, of Amherst, N.Y., received the *Tom Headrick "Trees and Forest" Award*, given to a student of corporate finance who recognizes that a corporate practitioner needs both to understand the transaction fully and to get the details precisely correct. This is the first time this award has been presented at Commencement.

• Receiving the *Robert J. Connelly Trial Technique Award*, which recognizes the best performance records in the course in trial technique, were: **Gabriele Salvatore DiMaio**, of Amherst, N.Y.,

**Kristin E. Gutenberger**, of Amherst, N.Y., **Peter Matthew Kooshoian**, of Amherst, N.Y., and **Zaheer A. Merchant**, of Rego Park, N.Y.

• Receiving *Law Faculty Awards*, which are presented to graduating seniors who have made outstanding contributions to the Law School community, were: **Erin D. Pemberton**, of Spencerport, N.Y., **Charles H. Cobb**, of Buffalo, N.Y., **Sean Denis Ronan**, of Syracuse, N.Y., and **Sarah M. Smith**, of East Amherst, N.Y.

• The Domestic Violence Task Force received the *New York State Bar Association / Law Student Bar Association Achievement Award*.

• Elected to the Order of Barristers, a national oralist honors society whose members include students who have shown dedication and who have excelled in the art of oral advocacy and service to the Moot Court Board, were: **Elizabeth Denise Carlson**, of Amherst, N.Y., **Kevin Patrick Dolan**, of Amherst, N.Y., **Simon Aaron Fleischmann**, of East Amherst, N.Y., **Shannon Sue Fuhrman**, of Blasdell, N.Y., **Rayne Lynne Hammond**, of Amherst, N.Y., **J. Patrick Lennon**, of Buffalo, N.Y., **Mark Aaron Moldenhauer**, of Williamsville, N.Y., **William Kemsey Taylor**, of Amherst, N.Y., **Matthew Maurice Wolf**, of Buffalo, N.Y., and **Jose Truzman**, of Amherst, N.Y.